



STATE OF NEVADA
COMMISSION ON ETHICS

INSTRUCTIONS FOR REQUEST FOR OPINION (ETHICS COMPLAINT)

TO COMPLETE THE REQUEST FOR OPINION (ETHICS COMPLAINT) FORM:

- Answer all questions completely.
- Identify the specific statutory provisions believed to be violated.
- Identify the nature of testimony all persons identified as witnesses will provide.
- Include credible evidence and supporting documentation.
- Attach additional pages if necessary.
- Sign the form.
- Submit an original form and two copies of the form and three copies of the supporting documentation/evidence to the Nevada Commission on Ethics.
- Keep a copy for your records.

WHAT IS CREDIBLE EVIDENCE?

NRS 281A.440.2(b)(1) requires you attach to the Request for Opinion form all related documents and evidence that you rely on to support your allegations. NAC 281.194 requires a Commission panel to base its decisions on *credible evidence*, which does not include a newspaper article or other media report offered *by itself*. Credible evidence means a minimal level of any reliable and competent form of proof provided by witnesses, records, documents, exhibits, minutes, agendas, videotapes, photographs, concrete objects, or other similar items that supports the allegations made in the Request for Opinion.

WHAT HAPPENS AFTER I SUBMIT AN ETHICS COMPLAINT?

Pursuant to NRS 281A.440:

1. The Executive Director:

- Gathers information and investigates the facts and circumstances related to the Request for Opinion (ethics complaint) to determine whether there is just and sufficient cause for the Commission to render an opinion in this matter; and
- If the Executive Director determines just and sufficient cause exists, makes a written report and recommendation to a two-member Commission panel regarding the determination.

2. The two-member Commission panel:
 - Makes the final determination regarding whether just and sufficient cause exists for the Commission to hold a hearing and render an opinion in the matter. In making that determination, the panel considers:
 - The Executive Director's report and recommendation;
 - The Request for Opinion and all supporting documentation; and
 - The subject's response and all supporting documentation.
3. If the panel determines that just and sufficient cause exists, the Commission:
 - Holds a hearing regarding the matter;
 - Renders an opinion as to the alleged violation; and
 - If a willful violation is found, determines whether to impose a civil penalty.

WILL I BE CONTACTED ABOUT THE REQUEST FOR OPINION (ETHICS COMPLAINT?)

If it is determined that the Commission has no jurisdiction to consider the matter, you will be notified that no further action will be taken. If just and sufficient cause exists for the Commission to render an opinion, you will have an opportunity to submit questions to be asked of the Subject or you may be called as a witness.

As the requester, you have no standing as a party to this matter before the Commission (NAC 281.017). The Commission has no statutory authority to provide you with any information regarding this matter until such time as the record becomes open to public inspection. If a two-member panel determines that there is just and sufficient cause to hold a Commission hearing and render an opinion, then the matter is no longer confidential, pursuant to NRS 281A.440.

If you have other questions regarding ethics complaints, contact:

Carson City: 775.687.5469
Las Vegas: 702.486.7250
E-mail: ncoe@ethics.nv.gov